

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

WHIRLPOOL CORPORATION and
WHIRLPOOL PROPERTIES, INC.,

Plaintiffs,

V.

SHENZHEN SANLIDA ELECTRICAL
TECHNOLOGY CO., LTD. and
SHENZHEN AVOGA TECHNOLOGY CO.
LTD.,

Defendants.

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CIVIL ACTION NO. 2:22-cv-0027-JRG-RSP

ORDER

Whirlpool Corporation, and Whirlpool Properties, Inc. previously filed a Motion for Contempt and Sanctions Regarding Defendants' Failure to Comply with the Order for Preliminary Injunction. (Dkt. No. 107.) Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 136), recommending granting Whirlpool's Motion for Contempt and Sanctions. Defendants have now filed Objections (Dkt. No. 143).


After conducting a *de novo* review of the briefing on the Motion for Contempt and Sanctions, the Report and Recommendation, and the briefing on Defendants' Objections, the Court agrees with the reasoning provided within the Report and Recommendation and concludes that the Objections fail to show that the Report and Recommendation was erroneous. Consequently, the Court **OVERRULES** Defendants' Objections and **ADOPTS** the Report and Recommendation and orders that the Motion for Contempt and Sanctions (Dkt. No. 107) is **GRANTED**.

Therefore, it is **ORDERED** that:

- (1) Within 10 days of this Order, Defendants shall pay Whirlpool \$95,000, and

- (2) Within 10 days of this Order, Defendants shall remove all images of the Accused Mixers from their websites available in the United States, and Defendants shall disclose to Whirlpool and the Court all resellers of the Accused Mixers. Defendants shall provide the Preliminary Injunction Order to each reseller in writing and shall supply to Whirlpool and the Court the correspondence directing the reseller to comply with the Preliminary Injunction, and all correspondence related to compliance with Defendants' requirement in the Preliminary Injunction to "recall and hold" Accused Mixers.
- (3) The jury in this matter should be instructed that it may conclude based on Defendants' misconduct that the Defendants' intent in selecting the design of its model 1522 mixer was to improperly benefit from the goodwill Whirlpool has developed in its asserted Trademarks and Trade Dress over the last eighty years.

So ORDERED and SIGNED this 8th day of November, 2024.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE